

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

- WHEREAS, Representatives of International Engineering, Inc. have come before the Tribal Council for approval of their contract to act as the Project Engineers for Segment II of the Whiteriver Waste Water Project, and
- WHEREAS, International Engineering, Inc. advised the Tribal Council that their contract has been approved by the White Mountain Apache Tribal Utility Board of Directors and the Indian Health Service, and
- WHEREAS, they have further explained to the Tribal Council that they are providing information to the Arizona Department of Health Services regarding the advertising that was done by the Utility Board to ensure that they are in compliance with EPA advertising requirements for engineering contracts, and
- WHEREAS, International Engineering, Inc. has presented an extensive presentation to the Tribal Council regarding their Plan of Construction for Segment II and their intention to employ and train as many tribal members as possible to work on the Segment II Project, and
- WHEREAS, International Engineering, Inc. further promises the Tribal Council that they will act as true advocates for the White Mountain Apache Tribe to protect the Tribe's interest and welfare and that they will ensure that any contractor chosen to contract Segment II will act in the best interest of the Tribe and complete the work in a safe and timely manner, and
- WHEREAS, International Engineering, Inc. further demonstrated to the Tribal Council that it possesses the expertise, reputation, financial resources, staffing and experience to successfully perform the engineering contract for Segment II, and
- WHEREAS, the Tribal Council, although satisfied with the presentation by International Engineering, Inc. concludes that it would be best to review the technical aspects of their proposed contract for a period of ten (10) days prior to giving their final approval to the International Engineering, Inc. Contract, and
- WHEREAS, further, the Tribal Council, before it gives its final approval to the International Engineering, Inc. Contract, wants to ensure that the Utility Board has approved the contract and that International Engineering, Inc.'s selection as the chosen engineers, has been approved by the Indian Health Services and the Arizona Department of Health Services.

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FORT APACHE INDIAN
AGENCY
WHITERIVER

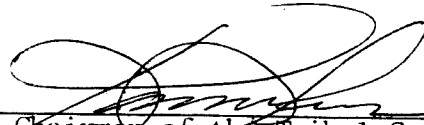
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the selection of International Engineers, Inc. as Contract Engineers for Segment II of the Whiteriver Waste Water Treatment Project subject to the following conditions:

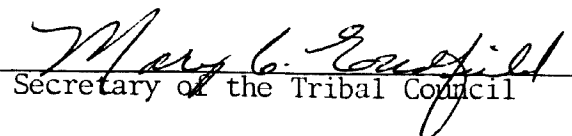
1. That a ten-day review of the contract be done by the Tribal Attorney and any technical consultants who he wishes to confer with;
2. That a copy of the Utility Board resolution be obtained by the Tribal Attorney;
3. That prior to approval of the International Engineering, Inc. Contract, verification be obtained from the Indian Health Service and the Arizona Department of Health Services that it is in compliance with bid regulations for EPA.

BE IT FURTHER RESOLVED by the Tribal Council that if the ten-day review of the contract by the Tribal Attorney and technical consultants indicates that the contract should be re-negotiated regarding certain of its terms, then Tribal Council approval of the Contract will be conditioned upon new negotiations between International Engineering, Inc. and the Tribal Attorney; upon completion of successful negotiations and mutual agreement, the International Engineering, Inc. Contract as modified shall be binding upon written approval of the Tribal Chairman.

BE IT FURTHER RESOLVED by the Tribal Council that in the event that the Tribal Attorney and Technical Consultants need more than ten days to review the contract, the International Engineering, Inc. Engineering Contract shall not become effective until such time as the Tribal Attorney presents his report directly to the Tribal Chairman and the Tribal Chairman gives his written approval to the contract.

The foregoing resolution was on November 09, 1982 duly adopted by a vote of 10 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council